

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

THURSDAY, THE 24TH MAY 2007 / 3RD JYAISHTA 1929

WP(C).No. 6792 of 2007(H)

PETITIONER:

L. SMITHA, AGED 31 YEARS,
W/O. GOPAKUMAR, HIGH SCHOOL ASSISTANT (ENGLISH),
T.D. HIGHER SECONDARY SCHOOL, THURAVOOR,
ALAPPUZHA DISTRICT.

BY ADV. SRI.V.A.MUHAMMED
SRI.K.E.HAMZA

RESPONDENTS:

1. THE STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
GENERAL EDUCATION DEPARTMENT, SECRETARIAT,
TRIVANDRUM.
2. THE DIRECTOR OF PUBLIC INSTRUCTION,
JAGATHY, TRIVANDRUM-14.
3. THE DEPUTY DIRECTOR OF EDUCATION,
ALAPPUZHA.
4. THE DISTRICT EDUCATIONAL OFFICER,
CHERTHALA, ALAPPUZHA DISTRICT.
5. THE CORPORATE MANAGER,
T.D. HIGH SCHOOLS, ALAPPUZHA DISTRICT.
6. SMT. BRITTY,
HIGH SCHOOL ASSISTANT (NATURAL SCIENCE),
T.D. HIGHER SECONDARY SCHOOL, THURAVOOR,
ALAPPUZHA DISTRICT.

BY GOVT.PLEADER SMT.LAKSHMI RANI FOR R1 TO R4
ADV. SRI.R.LAKSHMI NARAYAN &
SMT.R.RANJINI FOR R5
SRI.DR.V.N.SANKARJEE FOR R6
SRI.V.N.MADHUSUDANAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 24/05/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX IN WPC,6792/07

PETITIONER'S EXHIBITS:

- EXT.P1: TRUE COPY OF THE ORDER NO.BA-3897/05/L.DIS. OF THE DY.DIRECTOR OF EDUCATION.
- EXT.P2: TRUE COPY OF THE JUDGMENT OF THIS COURT IN WPC.25199/06
- EXT.P3: TRUE COPY OF THE ORDER NO.B6-8230/05/K.DIS. OF DIST.EDL.OFFICER.
- EXT.P4: TRUE COPY OF THE JUDGMENT OF THIS COURT IN WA.NO.1859/06.
- EXT.P5: TRUE COPY OF THE DECISION REPORTED IN 2004(2) KLT(SHORT NOTES) PAGE 53 CASE NO.60.
- EXT.P6: TRUE COPY OF THE G.O.(MS)NO.275/99/G.EDN. OF THE GOVERNMENT

RESPONDENT'S EXHIBITS:

- EXT.R5(1): PHOTOCOPY OF THE GOVERNMENT ORDER DT.7.1.2002.
- EXT.R5(2): APPEAL FILED BY THE 5TH RESPONDENT.
- EXT.R5(3): PHOTOCOPY OF THE GOVERNMENT CIRCULAR DATED 26.2.2003.

TRUE COPY

P.A.TO JUDGE

A.K. BASHEER, J.

W.P.(C). NO. 6792 OF 2007

Dated this the 24th day of May, 2007

J U D G M E N T

Since it is the admitted position that Ext.R5(2) appeal has been preferred by the Manager, it is not necessary for this Court at this stage to deal with the rival contentions raised by the parties.

The writ petition is hence disposed of with a direction to respondent No.3 to consider and pass orders on Ext.R5(2) appeal strictly on its merit and in accordance with law as expeditiously as possible, at any rate, within a period of two months from the date of receipt of a copy of this judgment. Needless to say respondent No.3 has to ensure that the petitioner, respondent Nos. 5 & 6 and all others who are likely to be affected by the order that may be passed by respondent No.3 are afforded sufficient opportunity to be heard before any decision is taken in the matter.

A.K. BASHEER, JUDGE

vps

A.K. BASHEER, JUDGE

OP NO.20954/00

JUDGMENT

1ST MARCH, 2007